

CITY OF MILPITAS
Summary of Contents
Milpitas City Council Meeting
April 6, 2004
6:00 p.m. Closed Session
7:00 p.m. Public Business
455 E. Calaveras Boulevard

I. ROLL CALL (6:00 p.m.)

II. ADJOURN TO CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(Pursuant to Government Code Section 54956.9[c])

Initiation of litigation: one case

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Pursuant to Government Code Section 54956.8)

Property: City of Milpitas property (APN Nos. 2208041 and 2208003)

Negotiating Parties: City of Milpitas and Santa Clara County

Agency Negotiators: Thomas J. Wilson and Blair King

Under Negotiation: Terms and conditions for sale or lease of property

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Pursuant to Government Code Section 54956.8)

Property: Vacant Property N. Main Street (APN No. 2208003)

Negotiating Parties: City of Milpitas/Milpitas Redevelopment Agency and Kathleen Cardoza

Agency Negotiators: Thomas J. Wilson and Blair King

Under Negotiation: Terms and conditions for acquisition of property

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Pursuant to Government Code Section 54956.8)

Property: Winsor and Rodriquez properties (adjacent to Main St. off ramp of Calaveras Blvd.) (APN Nos. 2824014, 2824020, 2824026 and 2824025)

Negotiating Parties: City of Milpitas/Milpitas Redevelopment Agency and Winsor, Rodriquez, Garbe's Towing and Economy Towing.

Agency Negotiators: Thomas J. Wilson/Greg Armendariz

Under Negotiation: Terms and conditions for acquisition of property and rental interests

III. CLOSED SESSION ANNOUNCEMENTS: Report on action taken in Closed Session, if required pursuant to Government Code Section 54957.1, including the vote on abstention of each member present

IV. PLEDGE OF ALLEGIANCE (7:00 p.m.)

V. APPROVAL OF MINUTES: March 16, 2004, and March 22, 2004

VI. SCHEDULE OF MEETINGS

VII. PRESENTATIONS

Commendation:

Steven Ybarra, returning from service in Iraq (U.S. Army)

Proclamations:

- Arbor Day, April 17, 2004
- Scleroderma Awareness Month, June 2004
- Month of the Young Child & Child Abuse Prevention Month, April

VIII. CITIZENS FORUM

Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to under two minutes. As an unagendized item, no response is required from City staff or the Council and no action can be taken; however, the Council may instruct the City Manager to agendize the item for a future meeting.

IX. ANNOUNCEMENTS

X. APPROVAL OF AGENDA

XI. CONSENT CALENDAR (Items with Asterisks)

XII. PUBLIC HEARING

1. **Introduce Ordinance No. 124.26 Amending Title XI, Chapter 30 (signs) of the City of Milpitas Municipal Code, a Sign Ordinance Amendment to Increase the Number of Freestanding Signs in the Town Center Zoning District (Staff Contact: Troy Fujimoto, 586-3287)**
2. **Adopt Negative Declaration (EA2004-1) and Introduce Ordinance No. 38.763 (ZT2004-1) Amending Title XI Chapter 10 (Planning, Zoning and Annexation) of the Municipal Code Relating to Regulation of Single-Family Residential Districts and Procedures for Providing Public Notice (Staff Contact: Staci Pereira, 586-3278)**

XIII. JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING

RA1. CALL TO ORDER BY THE MAYOR

RA2. ROLL CALL

RA3. APPROVAL OF MINUTES: March 16, 2004

RA4. APPROVAL OF AGENDA AND CONSENT CALENDAR (ITEMS WITH ASTERISKS)

- *RA5. Authorize Request For Proposals: Milpitas Public Library and Midtown Parking Structure (Staff Contact: Greg Armendariz 586-3220, Mark Rogge 586-3257)**
- *RA6. Approve Change Order and Purchase Orders; Civic Center Project No. 8026 (Staff Contact: Greg Armendariz, 586-3220)**
- *RA7. Authorize an Agreement with Stradling Yocca Carlson & Rauth to Review Redevelopment Practices and Instruments to Incur and Sustain Indebtedness and Related Redevelopment Issues for an Amount Not to Exceed \$25,000 (Staff Contact: Blair King, 586-3060)**
- *RA8. Authorize the Executive Director/City Manager to Engage Dana Property Analysis for Appraisals of Six Separate City Owned properties in an Amount Not to Exceed \$37,000: APN 22-02-047, 28-12-011, 28-24-019, 86-11-008, 26-13-033, 86-02-061 (Staff Contact: Blair King, 586-3060)**

RA9. AGENCY ADJOURNMENT

XIV. REPORTS OF OFFICERS AND BOARDS

City Council

- 3. Approve the Designation of City of Milpitas Holiday Honoring Cesar Chavez: Mayor Jose Esteves**
- * 4. Approve the Mayor's Appointment to the Recycling and Source Reduction Advisory Commission: Mayor Esteves**
- 5. Approve Contribution to Rancho Milpitas Middle School Yearbook Project from the Council Community Promotions Account: Mayor Esteves**
- * 6. Approve a Resolution in Support for Federal Transportation Reauthorization: Mayor Jose Esteves**

Economic Development Commission

- 7. Select Consultant and Approve Contract For Preparation of Economic Development Plan: Economic Development Commission (Staff Contact: Cindy Maxwell, 586-3282)**

Library Advisory Commission

- * 8. Approve the 2004 Library Advisory Commission Work Plan (Staff Contact: Aaron Bueno and Marilyn Hay, Commission Chair, 586-3226)**

XV. UNFINISHED BUSINESS (NONE)

XVI. NEW BUSINESS

- 9. Review and Approve Ethics Stakeholder Report (Staff Contact: Tambri Heyden, 586-3280)**
- * 10. Approve Water Supply Assessment for Elmwood Residential and Commercial Project (Staff Contact: Darryl Wong 586-3345)**
- * 11. Theme Selection for the 2005 City Calendar (Staff Contact: Samu Tiumalu, 586-3222)**
- 12. Approve Staffing Changes to Support the Capital Improvement Program and a Reorganization of the Traffic Section in Engineering Division (Staff Contact: Mike McNeely, 586-3301)**

XVII. ORDINANCES

- 13. Introduce Traffic Ordinance 43.200: Amendment to the Traffic Code (Staff Contact: Mike McNeely, 586-3301)**

XVIII. RESOLUTIONS

- * 14. Resolution Granting Initial Acceptance: Playground Equipment Upgrade (Project No. 5077) (Staff Contact: Greg Armendariz, 586-3220)**
- * 15. Resolution Granting Initial Acceptance: Cathodic Protection System Repairs (Project No. 7050) (Staff Contact: Greg Armendariz 586-3220).**

- * 16. Resolution Granting Final Acceptance: North Milpitas Boulevard Median Landscape Renovations (Project No. 4140) (Staff Contact: Greg Armendariz, 586-3220)

XIX. BIDS AND CONTRACTS

- * 17. Authorize the City Manager to Engage MuniFinancial to Assist with Maintenance Cost Strategies and Cost Sharing Spreads (Staff Contact: Blair King 586-3061).
- * 18. Approve Agreement Amendment With San Jose Water Co. For Printing, Processing, Mailing And Remittance Processing Of Utility Bills (Staff Contact: Emma Karlen, 586-3125)
- * 19. Authorize the City Manager to Execute an Agreement: Treadwell & Rollo, Library Pre-design (Project No. 3394) (Staff Contact: Steve Erickson, 586-3317)
- * 20. Authorize the City Manager to Execute an Agreement: Lowney Associates, Abel/Calaveras Right Turn Lane (Project No. 4186) (Staff Contact: Steve Erickson, 586-3317)
- * 21. Authorize the City Manager to Execute an Agreement: Lowney Associates, Main Sewage Pump Station Site Improvements (Project No. 6079) (Staff Contact: Steve Erickson, 586-3317)
- * 22. Authorize the City Manager to Execute Agreement: Overland, Pacific & Cutler, Midtown Parking Structure Right-of-Way and Calaveras and Abel Street Right Turn (Project Nos. 8154 & 4186) (Staff Contacts: Mike McNeely 586-3301 and Greg Armendariz, 586-3220)
- * 23. Award Bid for Printing the Milpitas Activity Guide (Staff Contact: Lou Zenzen, 586-3161)
- * 24. Award Bid for Traffic Signal Head Painting (Projects Nos. 4109 and 4167) (Staff Contact: Lou Zenzen, 586-3161)
- * 25. Award Bid for Audible Pedestrian Signals (Project No. 4173) (Staff Contact: Lou Zenzen, 586-3161)

XX. CLAIMS AND DEMANDS

- * 26. Approve Payment Requests: Miscellaneous Vendors /Contractors (Staff Contact: Lou Zenzen, 586-3161)

XXI. ADJOURNMENT

**NEXT REGULARLY SCHEDULED COUNCIL MEETING
TUESDAY, APRIL 20, 2004, AT 7:00 P.M.**

**CITY OF MILPITAS
Summary of Contents
Milpitas City Council Meeting
April 6, 2004
6:00 p.m. Closed Session
7:00 p.m. Public Business
455 E. Calaveras Boulevard**

XII. PUBLIC HEARING

1. INTRODUCE ORDINANCE NO. 124.26 AMENDING TITLE XI, CHAPTER 30 (SIGNS) OF THE CITY OF MILPITAS MUNICIPAL CODE, A SIGN ORDINANCE AMENDMENT TO INCREASE THE NUMBER OF FREESTANDING SIGNS IN THE TOWN CENTER ZONING DISTRICT (STAFF CONTACT: TROY FUJIMOTO, 586-3287)

BACKGROUND: In 1989, the City Council adopted a policy establishing five (5) sub-areas within the Town Center zoning district. The purpose of the policy was to allow each sub-area the ability to have one freestanding sign. Prior to the adoption of the policy, the entire Town Center District was limited to one freestanding area identification sign.

The five Town Center sub-areas are:

- Beresford Square shopping center
- Shapell office building parcel
- Town Center Phase III parcel (now developed with townhomes as "Beresford Village")
- Town Center shopping complex
- Hotel and office area (Town Center District east of Hillview Drive)

The applicant is requesting the Sign Ordinance be amended to recognize the commercial sub-areas as they currently exist. The request also includes a proposal to allow up to three freestanding signs for the Town Center shopping center. This would be accomplished by allocating the sign allowance for Phase III that was never used to the Town Center shopping center and allowing a new third sign. This would net one additional sign in the District above what was previously allowed.

Because this amendment is allowing one additional sign for the district, the sign is categorically exempt from CEQA review pursuant to Section 15311, Class 11 (accessory structures).

Staff recommends approval of the ordinance amendment based on the City granting a freestanding sign for Phase III that was never used and if this project was located anywhere else in the City, based on the number of street frontages and the amount of street frontage, the development would be allowed to have three (3) freestanding signs.

RECOMMENDATION:

1. Close the Public Hearing.
2. Waive reading beyond the title and introduce Ordinance No. 124.26.

2. ADOPT NEGATIVE DECLARATION (EA2004-1) AND INTRODUCE ORDINANCE NO. 38.763 (ZT2004-1) AMENDING TITLE XI CHAPTER 10 (PLANNING, ZONING AND ANNEXATION) OF THE MUNICIPAL CODE RELATING TO REGULATION OF SINGLE-FAMILY RESIDENTIAL DISTRICTS AND PROCEDURES FOR PROVIDING PUBLIC NOTICE (STAFF CONTACT: STACI PEREIRA, 586-3278)

BACKGROUND: Since August of 2002, staff has prepared two ordinances (Nos. 38.760 and 38.761) which were part of ongoing, necessary amendments to the zoning code to improve its effectiveness as a regulatory tool, recognize it as a dynamic and living document and phase the

cost and effort of a comprehensive update. The third phase of zoning code text amendments (Ordinance No. 38.763) was spurred by community concerns of overcrowding in residential neighborhoods and its impact on parking.

At a Community Advisory Commission Town Hall meeting on October 9, 2003, the City's limited authority to regulate occupancy in residential homes was discussed. This is based on federal and state laws with which the City's zoning code family definition does not comply. To address this problem, staff is proposing to amend the definition of family and other amendments that will assist in ensuring that a single-family dwelling is occupied in such a manner as to retain the character of the single-family neighborhood and minimize parking impacts. The amendments proposed would have the following significant effects on single-family residences:

- No longer allow a residence to be converted into or function as several independent living units or the rental of rooms with separate external entrances and compartmentalized common areas by requiring all occupants to function as a single housekeeping and by permitting only 1 kitchen per dwelling; and
- Require 1 parking space on-site for each room rented in a boarding house (where meals are included with rent), which is in addition to the 2 parking spaces required for the dwelling unit.

To address an unrelated issue, staff is proposing to modify the location of the legal notice postings from the project vicinity to the project site and establish criteria for sign postings based on size of property and number of street frontages. An Initial Study and Draft Negative Declaration were prepared for the proposed ordinance. The commenting period began on February 5, 2002 and closed on February 25, 2004. Staff did not receive any comments from the public during the comment period. The impacts to aesthetics, housing, transportation and traffic were determined to be less than significant.

The Planning Commission held a public hearing and discussed proposed Ordinance No. 38.763 and related Draft Negative Declaration at their meeting of February 25, 2004 where the item was continued to allow review by the Community Advisory Commission (CAC) and for additional research to be prepared. On March 3, 2004, the CAC recommended to prohibit garage conversions altogether rather than allow the partial conversions proposed in the amendment. During the Planning Commission's subsequent review on March 24, 2004, the Planning Commission voted (4-3) to recommend continuance of garage conversions given the public hearing comments about garage conversions being affordable housing alternatives and feelings that disallowing them will not solve the parking issues. Thus, staff has eliminated the two enclosed parking requirement for single-family dwellings from the proposed ordinance, which will result in the continued allowance of garage conversions. Further discussion and details of the proposed text amendments are incorporated into the Council's agenda packet.

RECOMMENDATION:

1. Close the public hearing.
2. Adopt the Negative Declaration (EIA No. EA2004-1)
3. Introduce Ordinance No. 38.763 (Zoning Ordinance Text Amendment No. ZT2004-1) and waive reading beyond the title

XIII. JOINT REDEVELOPMENT AND AGENCY AND CITY COUNCIL MEETING

RA1. CALL TO ORDER BY THE MAYOR

RA2. ROLL CALL

RA3. APPROVAL OF MINUTES: March 16, 2004

RA4. APPROVAL OF AGENDA AND CONSENT CALENDAR (ITEMS WITH ASTERISKS)

***RA5. AUTHORIZE REQUEST FOR PROPOSALS: MILPITAS PUBLIC LIBRARY AND MIDTOWN PARKING STRUCTURE (STAFF CONTACT: GREG ARMENDARIZ 586-3220, MARK ROGGE 586-3257).**

BACKGROUND: On February 17, 2004, the City Council approved the Library Building Program and directed staff to prepare a Request For Proposals (RFP) to select the design Architect. Staff revised the RFP document and consultant contract after reviewing and benchmarking the documents against those of several other cities. Several revisions were made to take advantage of experience learned on past and current projects. The City Attorney's office also reviewed the revised documents.

A summary and highlights of the RFP and contract documents will be presented at the Council meeting. A copy of the RFP documents is included in the Council packet, along with a summary of key elements of the RFP for the Library Project.

The library requires expertise on library functions, as well as historic building preservation/restoration. The design of the Midtown parking garage requires a different set of expertise for efficient parking structure design. Therefore, two different architects, and accordingly two RFPs are proposed, one for the Library and a second one for the Midtown parking structure. The architect selection process for the Library will precede that of the Parking Structure, so that work effort will be prioritized to focus on the Library design that has the most impact on schedule.

Staff presented the consultant selection strategy, highlights of the RFP, contract, process, and schedule to the Library Subcommittee on March 23, 2004. The Library Subcommittee recommended that the City Council approve, and directs staff to issue, the RFPs.

Staff will recommend creating a new Capital Improvement Project for the Library and Midtown Parking Structure, in the upcoming FY 04/05 Capital Improvement Program.

RECOMMENDATION:

1. Approve the Request For Proposals (RFP) for the new Library and direct staff to issue the RFP.
2. Approve the Request For Proposals (RFP) for the new Midtown parking structure and direct staff to issue the RFP.

***RA6. APPROVE CHANGE ORDER AND PURCHASE ORDERS; CIVIC CENTER PROJECT NO. 8026 (STAFF CONTACT: GREG ARMENDARIZ, 586-3220)**

BACKGROUND: One change order is recommended for approval at this time with Royal Glass. The work is to provide additional flashing, caulking and sealing at the Rotunda roof not included in the original contract work. Although no rain water intrusion has been experienced, water from pressurized window washing equipment at a unique angle, could cause water intrusion. This change order has been negotiated for \$2,559 and is reasonable for the work involved.

Three purchase orders are also recommended for providing:

- (1) additional lights, wiring and controls in the building permit counter area of the lobby (\$4,714);
- (2) emergency lighting in the telecommunications rooms on each floor (\$3,610) and;
- (3) placement of concrete walkway, regarding and landscaping, and installation of concrete monument at War Memorial, based on time and materials not to exceed \$15,000.

The remaining project contingency is \$61,262, after approval of the above change order and purchase orders.

RECOMMENDATION: Approve one change order and three purchase orders.

- *RA7. AUTHORIZE AN AGREEMENT WITH STRADLING YOCCA CARLSON & RAUTH TO REVIEW REDEVELOPMENT PRACTICES AND INSTRUMENTS TO INCUR AND SUSTAIN INDEBTEDNESS AND RELATED REDEVELOPMENT ISSUES FOR AN AMOUNT NOT TO EXCEED \$25,000 (STAFF CONTACT: BLAIR KING, 586-3060)**

BACKGROUND: Health and Safety Code Section 33675 requires that Redevelopment Agencies make an annual claim to receive tax increment revenue by filing a "Statement of Indebtedness" and "Reconciliation Statement" with the County Auditor's office. This requirement has led to the development of commonly accepted documents used by practitioners of redevelopment to secure and sustain debt such as "cooperation agreements" promissory notes, and "Public Works Agreements" between the Agency and the City. During the course of the development of the Eighth Amendment to the Redevelopment Plan, staff concluded that it would be prudent to review the instruments and techniques that the Agency uses to secure and sustain its debt pursuant to Section 33675.

Therefore, it is proposed to retain the services of Stradling Yocca Carlson & Rauth to perform work reviewing redevelopment financial instruments and techniques of incurring and sustaining indebtedness. It is proposed that a maximum amount of \$25,000 be allocated for this work. This sum is available in unexpended funds set aside for legal assistance for the Eighth Amendment to the Redevelopment Plan.

RECOMMENDATION: Authorize the Executive Director to execute an agreement with Stradling Yocca Carlson & Rauth to perform work reviewing redevelopment financial instruments and techniques of incurring and sustaining indebtedness and other related redevelopment issues.

- *RA8. AUTHORIZE THE EXECUTIVE DIRECTOR/CITY MANAGER TO ENGAGE DANA PROPERTY ANALYSIS FOR APPRAISALS OF SIX SEPARATE CITY OWNED PROPERTIES IN AN AMOUNT NOT TO EXCEED \$37,000: APN 22-02-047, 28-12-011, 28-24-019, 86-11-008, 26-13-033, 86-02-061 (STAFF CONTACT: BLAIR KING, 586-3060)**

BACKGROUND: As part of the continuing process of implementing plans and procedures by which the financial capacities of the City and the Milpitas Redevelopment Agency can be restructured and expanded to fully realize the benefits of the 8th Amendment of the Redevelopment Plan to meet budget strategies and to facilitate the most efficient development of major capital projects, staff is exploring the positive financial impacts of transferring certain real property owned by the City of Milpitas to the Milpitas Redevelopment Agency. To complete the analysis, a determination of the properties market value is needed. Staff recommends that the property appraisal services of Mr. Paul Talmage, MAI of Dana Property Analysis be retained. Staff has negotiated an agreement with Dana Property to prepare "restricted" report appraisals for six properties at a cost not to exceed \$37,000. Sufficient funds are available in account number 390-300-4237. The six properties are identified as:

APN 22-02-047 - Police station and public works yard
APN 28-12-011 - City Hall, community center, library
APN 28-24-019 - Senior Center
APN 86-11-008 - Fire Station 1
APN 26-13-033 - Fire Station 3
APN 86-02-061 - Fire Station 4

RECOMMENDATION: Authorize the Executive Director/City Manager to enter into an agreement with Dana Property to prepare appraisals for certain real property in an amount not exceed \$37,000.

RA9. AGENCY ADJOURNMENT

XIV. REPORTS OF OFFICERS AND BOARDS

City Council

3. APPROVE THE DESIGNATION OF CITY OF MILPITAS HOLIDAY HONORING CESAR CHAVEZ: MAYOR JOSE ESTEVES

BACKGROUND: Mayor Esteves requests the Council consider a new paid City holiday – Cesar Chavez’s birthday, March 31st – in recognition of Cesar Chavez, the late humanitarian and farmworker leader.

March 31st is a paid holiday for the State of California and the County of Santa Clara. Included in Council’s agenda packet is background information regarding the recognition of Cesar Chavez with a paid holiday for public sector employees.

RECOMMENDATION: Approve March 31st as a paid holiday for the City of Milpitas and initiate the appropriate “meet and confer” procedures with the City’s employee labor associations to provide for a Milpitas’ first annual Cesar Chavez paid holiday on March 31, 2005.

*** 4. APPROVE THE MAYOR'S APPOINTMENT TO THE RECYCLING AND SOURCE REDUCTION ADVISORY COMMISSION: MAYOR ESTEVES**

BACKGROUND: Mayor Esteves is recommending the appointment of Ed Blake, Jr. to a business representative vacancy on the Recycling and Source Reduction Advisory Commission. A copy of Mr. Blake’s application is included in the Council’s agenda packets.

RECOMMENDATION: Approve the Mayor's appointment of Ed Blake, Jr., to the Recycling and Source Reduction Advisory Commission for a term expiring October 2005.

5. APPROVE CONTRIBUTION TO RANCHO MILPITAS MIDDLE SCHOOL YEARBOOK PROJECT FROM THE COUNCIL COMMUNITY PROMOTIONS ACCOUNT: MAYOR ESTEVES

BACKGROUND: Mayor Esteves received a letter from the Rancho Milpitas Middle School Yearbook staff requesting a donation to their yearbook project. The yearbook staff worked to raise money to help pay for the yearbook, and someone broke into the school and took the money along with two digital cameras. Mayor Esteves is asking that the Council authorize a contribution of \$100 to the Rancho Milpitas Middle School Yearbook Project from the Council’s Community Promotions account. Copies of the letter from the yearbook staff, an article, and a letter to the editor of the Milpitas Post about the burglary are included in the Council’s agenda packets.

RECOMMENDATION: Approve a contribution of \$100 to the Rancho Milpitas Middle School Yearbook Project from the Council’s Community Promotions account.

*** 6. APPROVE A RESOLUTION IN SUPPORT FOR FEDERAL TRANSPORTATION REAUTHORIZATION: MAYOR JOSE ESTEVES**

BACKGROUND: The National League of Cities is encouraging cities to adopt a Resolution supporting an adequately funded six-year authorization bill.

Pat Dando, Vice Mayor, City of San Jose, states that this critical piece of legislation will reduce traffic, create new jobs, and stimulate the economy. It is essential to tell Congress that a six-year reauthorization bill funded at no less than \$318 billion is critical for America’s cities and towns. Any reauthorization bill must also not retreat from the policy fundamentals established in the

Transportation Equity Act for the 21st Century (TEA-21). See letter from San Jose Vice Mayor Dando in Agenda packet.

RECOMMENDATION: Adopt a Resolution in Support for Federal Transportation Reauthorization.

Economic Development Commission

7. SELECT CONSULTANT AND APPROVE CONTRACT FOR PREPARATION OF ECONOMIC DEVELOPMENT PLAN: ECONOMIC DEVELOPMENT COMMISSION (STAFF CONTACT: CINDY MAXWELL, 586-3282)

BACKGROUND: In November 2003, the City Council approved a request from the Economic Development Commission (EDC) to obtain outside professional assistance to prepare a comprehensive Economic Development Plan (Plan).

Six firms responded to the City's Request for Proposal. Staff and the Chair (Diane McDonough) and Vice Chairman (Dhaval Brahmhatt) of the EDC reviewed the proposals and served on the oral board interviewing the top consultants. On March 8, 2004, the EDC recommended the City Council select Applied Development Economics (ADE), Berkeley, for the project. The EDC also reviewed the draft scope of services and recommended approval.

The project consists of nine major tasks to be completed by the early 2005. ADE will enlist public participation through a business survey, interviews, focus groups and a public workshop. The consultant will work with the EDC on goal setting and visioning and will prepare an economic profile and analysis and benchmarking comparison with other cities. The City's economic strategies and objectives will be identified and an implementation plan will be developed.

The proposed contract is a not-to-exceed \$99,890 including a 10 percent contingency. Redevelopment funds are available for this project.

RECOMMENDATION:

1. Approve the selection of Applied Development Economics as the consultant to prepare the Economic Development Plan; and,
2. Authorize the City Manager to execute the proposed contract subject to City Attorney approval.

Library Advisory Commission

*** 8. APPROVE THE 2004 LIBRARY ADVISORY COMMISSION WORK PLAN (STAFF CONTACT: AARON BUENO AND MARILYN HAY, COMMISSION CHAIR, 586-3226)**

BACKGROUND: Pursuant to the Library Advisory Commission Bylaws, the Library Advisory Commission is an advisory body to the Milpitas City Council on matters concerning the Milpitas Library. These matters include the library's use, needs, and improvements. The commission will also assist the library in meeting the informational, educational, and recreational needs of its multicultural community. The Library Advisory Commission has developed an annual Work Plan to focus on projects and programs that benefit the community. The Work Plan is shown below:

Goal # 1 Serve as a link between the community and the library

Objectives:

- a) Place suggestion boxes throughout high use areas to identify the needs of the community. Based on the suggestions received, the Commission will make recommendations to the Community Librarian.
- b) Participate in City-sponsored events with informational displays when appropriate and authorized by the city. Commissioners may staff displays.
- c) Promote better appreciation of different cultures by addressing these particular needs for library services and participate at cultural events.
- d) Participate as requested in the development of the new state-of-the-art library and make recommendations to the Library Subcommittee.
- e) Effectively communicate the role of the Library Advisory Commission as a forum for citizen input at locations such as Milpitas High School, Senior Center, and Terrace Gardens. The Commissioners will staff these forums.
- f) Encourage and promote attendance at Library Advisory Commission meetings through press releases in the Milpitas Post and announcements on the community cable channel.

Goal # 2 Promote library programs, book sales, and services to the community

Objectives:

- a) Provide information to the Community Librarian for lobby posters and to the Community Center Supervisor for the electronic reader board messages.
- b) Provide information to the City's cable station with event announcements.
- c) Send press releases to local media.

Goal #3 Raise awareness of Community concerns about the library

Objectives:

- a) Provide community input to the library staff.
- b) Review suggestions received from citizen forums and present to Community Librarian.
- c) Address concerns to the Library Subcommittee.

Goal #4 Advocate legislation and funding that will help meet the needs of our community library

Objectives:

- a) Learn about legislation and lobby issues at the county, state, and national levels by attending appropriate conferences, like California Association of Library Trustees and Commissioners, and Legislative Day.
- b) Attend appropriate training and seminars with elected officials.

RECOMMENDATION: Approve the 2004 Library Advisory Commission Work Plan.

XV. UNFINISHED BUSINESS (NONE)

XVI. NEW BUSINESS

9. REVIEW AND APPROVE ETHICS STAKEHOLDER REPORT (STAFF CONTACT: TAMBRI HEYDEN, 586-3280)

BACKGROUND: At the March 16, 2004, Council meeting, the Council approved Amendment No. 1 to the Ethics Project Consulting Services Agreement. Among other things, the amendment moved preparation of the Task 1 – Stakeholder Report to Task 3 so that additional stakeholder interviews requested and approved by Council at the meeting could be conducted in parallel with the Task 2 - Ethics Awareness Survey. The survey, sent to a random sample of Milpitas

households, was deployed on March 10, 2004, with a scheduled completion of March 24, 2004. Since only 100 surveys had been completed by March 22, despite two mailed reminders, the Steering Committee decided to extend the date to March 28th and notified the selected households via a letter from Dr. Shanks, the ethics consultant. In addition, the Steering Committee, through a press release, arranged for publicity in the *Milpitas Post* to stress the importance of completing the survey. The extended date yielded 187 completed surveys.

One of the deliverables under Task 2 includes a simple aggregate statistics report and narrative based on the completed survey data. The results of the survey will be used in formulating the future ethics code implementation plan that will be prepared after the draft ethics code. Both the implementation plan and draft code are to be reviewed by Council at its May 18, 2004, meeting. The survey results regarding questions rating core values lay the ground work for the first code preparation workshop on March 31st, as core values are the key component of the ethics code. The survey report, which requires no Council action, will be distributed within the next two weeks. The last of four code preparation workshops occurs on May 5, 2004.

As of March 26, 2004, all but five of the additional stakeholder interviews were completed. Four of these remaining individuals could not be reached to schedule an interview or declined an interview. Therefore, it was assumed they were unable or not interested in participating in an interview and completion of the stakeholder report has moved forward. A copy of the report is included in the Council's agenda packet. The stakeholder report compiles and summarizes the interests, strengths, weaknesses, opportunities and threats facing the city's ethics code effort as identified by the 44 stakeholders interviewed.

RECOMMENDATION: Review and approve the ethics stakeholder report.

*** 10. APPROVE WATER SUPPLY ASSESSMENT FOR ELMWOOD RESIDENTIAL AND COMMERCIAL PROJECT (STAFF CONTACT: DARRYL WONG 586-3345)**

BACKGROUND: The Elmwood Residential and Commercial Project, proposed by KB Home South Bay Inc., and Santa Clara County, consists of over 700 residential units and auto sales facilities. The proposed project needs to comply with the requirements of state legislation mandating that a water supply assessment be included in any environmental documentation for projects exceeding 500 dwelling units demonstrating sufficient water supply.

Staff has completed a water supply assessment using the 2000 Urban Water Management Plan, the 2002 Water Master Plan, and 2003 Financial Utility Master Plan and determined that the City has sufficient water to supply to the proposed project. Copies of the Staff Water Supply Assessment Report, and the applicable legislation (SB 610 and SB 221) are included in the council packet.

RECOMMENDATION: Approve Water Supply Assessment for Elmwood Residential and Commercial Project.

*** 11. THEME SELECTION FOR THE 2005 CITY CALENDAR (STAFF CONTACT: SAMU TIUMALU, 586-3222)**

BACKGROUND: Historically, the Community Advisory Commission has chosen the theme for the annual City Calendar. This year, staff presented the CAC with four (4) theme suggestions for the 2005 City Calendar:

1. Milpitas' Youth...Our Future
2. Milpitas At It's Best
3. Play in Your Local Park
4. A Day in the Life of Milpitas

The Community Advisory Commission voted and chose option two (2) Milpitas At It's Best as the theme for the City Calendar for 2005. This theme would require the community's

participation by submitting photos of places, buildings, parks or anything else that the community feels represents Milpitas' best.

Staff will begin publicizing the calendar theme and request the community's input by submitting photos for the calendar through advertisements on Channel 15, the City's website and other local publications and media outlets.

RECOMMENDATION: Note, receipt and file.

12. APPROVE STAFFING CHANGES TO SUPPORT THE CAPITAL IMPROVEMENT PROGRAM AND A REORGANIZATION OF THE TRAFFIC SECTION IN ENGINEERING DIVISION (STAFF CONTACT: MIKE MCNEELY, 586-3301)

BACKGROUND: The Engineering Division has completed a comprehensive analysis of the future workload and professional staffing required to implement the City's projected five-year Capital Improvement Program.

In addition to regular annual capital projects that provide for general community enhancements for streets, parks, and utilities, there are more than 100 million dollars of special projects to be completed by July 2010 such as: Midtown-Main Street and Abel Street improvements, new Library, Midtown Parking, new Senior Center, and new Senior Affordable Housing.

To address these special capital improvements projects, the Engineering Division has organized a Special Projects Section and defined a schedule of staffing requirements to perform the work necessary to ensure the efficient and timely delivery of the special projects. The new Special Projects Section is planned to be staffed through the assignment of some existing personnel, the addition to the Division of some new positions, and the contracting of specialized consultant services. All of the funding for the staff and consultants for the Special Projects Section will be from restricted capital project monies, with no impact on the City's General Fund. The recommended additional positions are one Associate Civil Engineer and two Assistant Civil Engineers. In addition, filling of an existing vacant Accountant in Finance Department is proposed to support the Capital Improvement Program. This position will also be funded from Capital Improvement Projects to provide expenditure tracking, processing of appropriations, and budgetary support.

Upon the retirement of the Traffic Engineer, the functions of the Traffic Section in Engineering have also been reviewed. To maintain customer service, mandated activities, and project support, a new Principal Transportation Planner position is recommended to underfill the vacant Traffic Engineer. The new position will be funded approximately 90% General Fund – as was the Traffic Engineer position, which will remain vacant.

RECOMMENDATION: Approve three new engineering positions and the filling of the vacant Accountant position for the Capital Improvement Program and the new Principal Transportation Planner position.

XVII. ORDINANCES

13. INTRODUCE TRAFFIC ORDINANCE 43.200: AMENDMENT TO THE TRAFFIC CODE (STAFF CONTACT: MIKE MCNEELY, 586-3301)

BACKGROUND: Based on staff's engineering study, this ordinance amending the Traffic Code provides for traffic control to add North Park Victoria Drive from Kirkwall Place to the North City Limits to Milpitas' speed survey list enabling the use of radar for enforcement of a 25 mph speed.

RECOMMENDATION:

1. Waive reading beyond the title.

2. Introduce Ordinance 43.200 amending Chapter 100, Title V (Traffic) of the Milpitas Municipal Code.

XVIII. RESOLUTIONS

- * **14. RESOLUTION GRANTING INITIAL ACCEPTANCE: PLAYGROUND EQUIPMENT UPGRADE (PROJECT NO. 5077) (STAFF CONTACT: GREG ARMENDARIZ, 586-3220)**

BACKGROUND: The project to install new playground equipment at Dixon Landing Park, Foothill Park, Hall Park and Pinewood Parks was awarded to D. K Environmental on July 1, 2003. The City's contractor has completed the project. Therefore an initial acceptance may be granted and the contractor's faithful performance bond may be reduced to \$56,067.28, which is 10% of the contract amount.

RECOMMENDATION: Adopt resolution granting initial acceptance subject to a one-year warranty period and reduction of the faithful performance bond to \$56,067.28.

- * **15. RESOLUTION GRANTING INITIAL ACCEPTANCE: CATHODIC PROTECTION SYSTEM REPAIRS (PROJECT NO. 7050) (STAFF CONTACT: GREG ARMENDARIZ 586-3220)**

BACKGROUND: The project to install cathodic protection equipment onto various existing pipelines was awarded to Ranger Pipelines, Inc. on June 3, 2003. The City's contractor has completed the project. Therefore an initial acceptance may be granted and the contractor's faithful performance bond may be reduced to \$113,833.94, which is 10% of the contract amount.

RECOMMENDATION: Adopt resolution granting initial acceptance subject to a one-year warranty period and reduction of the faithful performance bond to \$113,833.94.

- * **16. RESOLUTION GRANTING FINAL ACCEPTANCE: NORTH MILPITAS BOULEVARD MEDIAN LANDSCAPE RENOVATIONS (PROJECT NO. 4140) (STAFF CONTACT: GREG ARMENDARIZ, 586-3220)**

BACKGROUND: This project was initially accepted on February 4, 2003, and has passed the one-year warranty period. A final inspection has been made and the public improvements consisting of renovations to the median landscaping on N. Milpitas Blvd. from Beresford Court to south of Jacklin Road are satisfactory. Therefore, a final acceptance may be granted and the contractor's bond may be released.

RECOMMENDATION: Adopt resolution granting final acceptance and release of the bond.

XIX. BIDS AND CONTRACTS

- * **17. AUTHORIZE THE CITY MANAGER TO ENGAGE MUNIFINANCIAL TO ASSIST WITH MAINTENANCE COST STRATEGIES AND COST SHARING SPREADS (STAFF CONTACT: BLAIR KING 586-3061)**

BACKGROUND: In accordance with the City's consultant selection process, staff has solicited proposals for professional assistance for two Midtown-related development issues. The issues specifically are: (1) the appropriate spread and share of costs between the Redevelopment Agency and other developers for maintenance and development of the North Main Street/Library parking structure and (2) strategies to address the increased costs of maintenance related to landscape improvements proposed for Midtown and other Milpitas locations. A partial list of new landscape maintenance obligations include: (1) approximately 3.7 miles of arterials along Main and Abel Streets, (2) new Midtown gateway features, (3) new Midtown parks and plazas, (4) landscaping maintenance obligations associated with the Tasman East/Capital light rail

extension, and (5) possible landscape maintenance responsibilities for the I880/SR237 interchange.

It is proposed to retain the services of MuniFinancial to assist in the development of strategies for maintenance costs. MuniFinancial is a public-sector financial consulting firm specializing in various forms of assessment districts. With regard to maintenance cost strategies, it is anticipated that the City, through MuniFinancial, will investigate the possibilities of using the flexibility of a Community Facilities District to provide for future maintenance costs.

Services provided by MuniFinancial would be provided on a time and materials basis with a not-to-exceed maximum amount of \$70,000. Funds have been budgeted and are available in account number 390-300-4237. Staff estimates that approximately two-thirds of the costs are recoverable.

RECOMMENDATION: Authorize the City Manager to engage the services of MuniFinancial to assist in the development of maintenance finance strategies and cost sharing spreads for the North Main Street/library parking structure, for an amount not to exceed \$70,000.

*** 18. APPROVE AGREEMENT AMENDMENT WITH SAN JOSE WATER CO. FOR PRINTING, PROCESSING, MAILING AND REMITTANCE PROCESSING OF UTILITY BILLS (STAFF CONTACT: EMMA KARLEN, 586-3125)**

BACKGROUND: San Jose Water Co. was awarded a service agreement on June 29, 1999 for designing, printing, mailing and remittance processing of the City's utility bills for the Finance Department. The Current agreement will expire at the end FY2003-04. Staff has negotiated with San Jose Water for a three-year extension of the agreement. The cost of the service will remain the same during the first year of the extended term. In the second and third year of the extended term, San Jose Water has requested fee increase for production and remittance processing in each year to increase with the Bay Area Consumer Price Index, with a not to exceed cap of 4%. Based on current cost for bill production of 150,000 bills annually, the cost for bill production is \$23,670 and the cost for remittance processing is \$15,500. Envelopes, bill paper printing, and mailing costs will continue to be a pass through cost. San Jose Water has consistently provided the City of Milpitas with outstanding customer service. Staff feels that the price increase in the second and third year of the extended term is reasonable.

RECOMMENDATION: Approve the amendment to the agreement with San Jose Water Co., subject to approval as to from by the City Attorney.

*** 19. AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT: TREADWELL & ROLLO, LIBRARY PRE-DESIGN (PROJECT NO. 3394) (STAFF CONTACT: STEVE ERICKSON, 586-3317)**

BACKGROUND: This project is included in the current five-year Capital Improvement Program (CIP). Consultant services are required to provide soil testing and environmental evaluation. In accordance with the City's consultant selection process, Treadwell & Rollo has been selected to provide professional environmental and geotechnical consultation services necessary for the project. Staff has negotiated a scope and fee with Treadwell & Rollo, based on time and materials for an amount not to exceed \$120,000. The fee is considered reasonable for the work involved, and there are sufficient funds in the project budget to cover this cost.

RECOMMENDATION: Authorize the City Manager to enter into the agreement with Treadwell & Rollo in the amount of \$120,000, subject to approval as to form by the City Attorney.

*** 20. AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT: LONEY ASSOCIATES, ABEL/CALAVERAS RIGHT TURN LANE (PROJECT NO. 4186) (STAFF CONTACT: STEVE ERICKSON, 586-3317)**

BACKGROUND: This project is included in the current five-year Capital Improvement Program (CIP). The completed project will provide a right turn lane from northbound Abel Street to eastbound Calaveras Blvd. to provide improved traffic capacity at the Abel/Calaveras intersection. Right of way acquisition is part of the project. Therefore, an environmental evaluation and possibly soil testing of the areas to be acquired is necessary to determine if any contaminated soils are present prior to the purchase of the property.

In accordance with the City's consultant selection process, Lowney Associates has been selected to provide professional environmental and geotechnical consultation services necessary for the project. Staff has negotiated a scope and fee with Lowney Associates, based on time and materials for an amount not to exceed \$25,000. The fee is considered reasonable for the work involved, and there are sufficient funds in the project budget to cover this cost.

RECOMMENDATION: Authorize the City Manager to enter into the agreement with Lowney Associates in the amount of \$25,000, subject to approval as to form by the City Attorney.

*** 21. AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT: LOWNEY ASSOCIATES, MAIN SEWAGE PUMP STATION SITE IMPROVEMENTS (PROJECT NO. 6079) (STAFF CONTACT: STEVE ERICKSON, 586-3317)**

BACKGROUND: This project is included in the current five-year Capital Improvement Program (CIP). The completed project will provide surface, site access, and drainage improvements at the main sewage pump station. The improved site will also be used for the relocated Corporation Yard that is required as part of the new Library Project. Improvements also include the removal of abandoned sewer treatment facilities, tanks, and the old operation building. The old treatment facilities may contain water and sludge materials of unknown quality. Therefore, prior to demolition and disposal, environmental testing of the site will be necessary to determine the nature of the materials for proper handling and disposal.

In accordance with the City's consultant selection process, Lowney Associates has been selected to provide professional environmental and geotechnical consultation services necessary for the project. Staff has negotiated a scope and fee with Lowney Associates, based on time and materials for an amount not to exceed \$115,000. The fee is considered reasonable for the work involved, and there are sufficient funds in the project budget to cover this cost.

RECOMMENDATION: Authorize the City Manager to enter into the agreement with Lowney Associates in the amount of \$115,000, subject to approval as to form by the City Attorney.

*** 22. AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENT: OVERLAND, PACIFIC & CUTLER, MIDTOWN PARKING STRUCTURE RIGHT-OF-WAY AND CALAVERAS AND ABEL STREET RIGHT TURN (PROJECT NOS. 8154 & 4186) (STAFF CONTACTS: MIKE MCNEELY 586-3301 AND GREG ARMENDARIZ, 586-3220)**

BACKGROUND: The Midtown Parking Structure and Abel Street Right Turn Lane projects are included in the current five-year Capital Improvement Program (CIP). These projects will require property acquisitions and relocation of affected tenants and businesses. It is proposed that Overland Pacific & Cutler, Inc. provide professional consultation services to acquire the necessary land for these improvements and relocate tenants and owners.

Staff has negotiated a scope and fee with Overland Pacific & Cutler, Inc., for these two projects. This fee is based on time and materials for an amount not to exceed \$81,000 for Abel Street Right Turn Lane (Project #4186) and \$162,000 for the Midtown Parking Structure (Project #8154), totaling \$243,000. The fee is considered reasonable for the work involved. There are sufficient funds in project budget for the Abel Street Right Turn Lane (Project #4186). Staff recommends an appropriation to the Midtown Parking Structure (Project #8154) as follows:

Right of way services (OPC)	\$162,000
Staff Administration	<u>\$23,000</u>
Total:	\$185,000

Funds are available from the 2003 RDA bond proceeds. Additional funds for the Midtown Parking Structure land acquisition and relocations costs will be necessary once they are determined.

RECOMMENDATION:

1. Authorize the City Manager to execute an agreement with Overland Pacific & Cutler, Inc in the amount of \$243,000, subject to approval as to form by the City Attorney.
2. Approve the budget appropriation of \$185,000 for Midtown Parking Structure, Project No. 8154.

*** 23. AWARD BID FOR PRINTING THE MILPITAS ACTIVITY GUIDE (STAFF CONTACT: LOU ZENZEN, 586-3161)**

BACKGROUND: Staff sent bids to twelve large capacity printing vendors on Purchasing's bidders list for the setup, printing and preparation for residential mailing delivery of the Milpitas Activity Guide for the Recreation Services Division. The activity guide informs residents of classes, events, and activities that are offered at our recreation centers and throughout the City. The activity guide is printed three time per year and the bid was for a one year term with three single year extensions based on prior performance and incremental pricing at the City's discretion.

The following is the recap of the bids received including tax and delivery:

<u>Bidder</u>	<u>Activity Guide Bid</u>
Milpitas Post Newspapers, Inc.	\$16,414.38
Frike-Parks Press	\$16,486.11
Folger Graphics	\$18,518.79
Casey Printing, Inc	\$19,386.51
San Jose Mercury News	\$29,458.29
Teldon Print Media	\$31,245.81

There are sufficient funds in the Recreation Services Division budget for printing of the activity guide.

RECOMMENDATION: Award the bid for the first three issues of the 2004/05 Milpitas Activity Guide to Milpitas Post Newspapers, Inc. as the lowest bidder in the amount of \$16,414.38 and authorize the City Manager to execute a contract subject to approval as to form by the City Attorney; and authorize the City manager to exercise the options for the remaining three single year options if it is in the best interest of the City at that time to do so.

* **24. AWARD BID FOR TRAFFIC SIGNAL HEAD PAINTING (PROJECTS NOS. 4109 AND 4167) (STAFF CONTACT: LOU ZENZEN, 586-3161)**

BACKGROUND: Staff issued an Invitation for Bids (IFB) to paint 90 street light poles and 345 traffic signal heads. A bidders conference was conducted to familiarize the contractors with the work to be done and the possibility of splitting the award between street light poles and signal heads. Three contractors attended the conference and all contractors responded with proposals. After bids were received, an issue was raised as to the type of contractor's license that would be required to perform the work. A request for an opinion was sent to the Contractors State License Board and a qualified response was received indicating one contractor, Republic Electric, does not hold an appropriate license for painting light poles or signal heads. The following is a recap of the three bids received:

<u>Contactor</u>	<u>Street Light Pole Painting</u>	<u>Traffic Signal Head Painting</u>
Diaz Corporation	\$24,800.00	\$103,550.00
Republic Electric	\$49,772.00	\$98,685.00
Satellite Painting	\$21,600.00	No Bid

In the current year CIP budget there are only sufficient funds available from the Street Light Pole painting (Project No. 4109) and Traffic Signal Modifications (Project No. 4167) project to paint the traffic signal heads. Staff is recommending to only paint the traffic signal heads this year.

RECOMMENDATION: Authorize the City Manager to execute a contract with Diaz Corporation as the only qualified contractor for painting traffic signal heads in an amount not to exceed \$103,550.00, subject to approval as to form by the City Attorney.

* **25. AWARD BID FOR AUDIBLE PEDESTRIAN SIGNALS (PROJECT NO. 4173) (STAFF CONTACT: LOU ZENZEN, 586-3161)**

BACKGROUND: Staff issued a Request for Quotation for 50 audible pedestrian signals and 80 ADA pedestrian signal push buttons to six traffic signal equipment suppliers on Purchasing's bidders list, three responded. These audible signals will be installed at intersections along Great Mall Parkway near the light rail stations. City's Maintenance staff will be installing the audible signals and push buttons. The following is the recap of bids received including tax and freight:

<u>Bidder</u>	<u>Amount</u>
Fortel Traffic, Inc.	\$16,140.08
Synchronex, Inc.	\$17,536.50
JAM Services, Inc.	\$18,337.84

There are sufficient funds available in the Audible Pedestrian Signal Installation project (Project No. 4173) funds to purchase the audible signals and push buttons.

RECOMMENDATION: Award the bid for the purchase of the audible pedestrian signals and ADA push buttons to the lowest bidder, Fortel Traffic, Inc. in the amount of \$16,140.08.

XX. CLAIMS AND DEMANDS

* **26. APPROVE PAYMENT REQUESTS: MISCELLANEOUS VENDORS/CONTRACTORS (STAFF CONTACT: LOU ZENZEN, 586-3161)**

BACKGROUND: In accordance with direction given by City Council at its August 15, 1995 meeting, Purchasing has prepared the following list of purchasing requests over \$5,000.00 for approval:

1. \$50,000.00 to Balch Petroleum to test, modify and repair seven underground fuel tanks to stay in compliance with State mandated SB989, secondary containment testing. Balch

Petroleum is a sole source provider of this service in the area. This is a not to exceed amount as modifications and repair costs will not be known until after testing of each underground tank is complete. (Funds are available from the Public Works Department operating budget for this service.)

2. \$7,020.01 to San Jose Blue for color printing and binding of 20 sets of large page utility plats for the Engineering Division. (Funds are available from various Water, Sewer and Recycled Water CIP projects for this purchase.)
3. \$18,398.00 to Peninsula Pump for emergency repairs to the pump column and bowl assembly at the Abbott Pump Station and emergency pump bearing repair at the Oakcreek Pump Station. (Funds are available from the Public Works Department operating budget for this emergency repair service.)
4. \$11,200.00 to Robert A Bothman, Inc. for emergency concrete repairs due to water line breaks at 25 locations. (Funds are available from the Public Works Department operating budget for these emergency repair services.)
5. \$6,327.84 to Preston Pipeline for emergency repairs to a 12", high pressure, water main on Calaveras Blvd. at Calaveras Ct. (Funds are available from the Public Works Department operating budget for this emergency repair service.)
6. \$6,141.00 to Intelligent Technologies and Service to provide annual inspections and preventive maintenance of fire sprinkler systems for the Police/Public Works building, Community Center and the Sports Center. (Funds are available from the Public Works Department operating budget for this service.)
7. \$11,025.00 to MWH Laboratories for quarterly State mandated water quality testing and analysis for HAAS and THM in the City's drinking water supply for the Utility Maintenance Division. (Funds are available from the Public Works Department operating budget for this required service.)
8. \$5,148.00 to CJ's Police K9s for the purchase of a new police dog to fill one vacancy in the K-9 unit for the Police Department. (Funds are available from the Police Department operating budget for this purchase.)
9. \$6,386.75 to US Metering and Technology for the purchase of 120 residential water meters to replenish depleted inventory supplies for the Utility Maintenance Division. (Funds are available from the Public Works Department operating budget for this purchase.)
10. \$12,502.04 to Edward S. Walsh Co. for the purchase of 15 fire hydrants and miscellaneous hydrant repair parts to replenish depleted inventory supplies for the Utility Maintenance Division. (Funds are available from the Public Works Department capital outlay and operating budget for this purchase.)

RECOMMENDATION: Approve the purchase requests.

XXI. ADJOURNMENT

**NEXT REGULARLY SCHEDULED COUNCIL MEETING
TUESDAY, APRIL 20, 2004, AT 7:00 P.M.**